

Application number 09/750,009

Attorney Docket Number: FREI.P049

REQUEST THAT "FINALITY" BE WITHDRAWN

AND

REQUEST THAT REFERENCE BE DULY CITED

***Request that finality be withdrawn.***

The undersigned has received an Office Action dated April 20, 2006. This Office Action purports to be "final", and the justification stated for the finality is a supposed amendment of claims 1-16 and 18-20, and a supposed addition of claim 21, all on October 2, 2005. The April 20, 2006 Office Action says (page 13, paragraph 15) that "applicant's amendment necessitated the new grounds of rejection presented in this Office Action."

It appears to the undersigned that the claims remain quite unchanged since December 22, 2004, when an RCE was filed. In other words, it appears to the undersigned that the claims have remained unchanged for some sixteen months.

It is requested that the present Office Action, which purports to be "final", be withdrawn and that a non-final Office Action be mailed.

***Request that reference be duly cited.***

The Office Action cites a reference US Pat. No. 6,078,948 to Podgorny et al. at page 4, paragraph 9. The undersigned is unable to find this reference in any Form 892 or Form 1449 that is presently of record. It is requested that the Examiner point to the Form 892 or Form 1449 citing this reference, or otherwise duly to cite the reference in a Form 892.

Respectfully submitted,

/s/

Carl Oppedahl  
PTO Reg. No. 32746